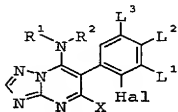


**Amendments to the CLAIMS**

1. (Withdrawn) A substituted 6-(2-halogenphenyl)-triazolopyrimidine of formula I



I

in which

Hal is halogen;

L<sup>1</sup>, L<sup>3</sup> independently denote hydrogen, halogen, or C<sub>1</sub>-C<sub>4</sub>-alkyl;

L<sup>2</sup> is hydrogen, halogen, C<sub>1</sub>-C<sub>4</sub>-haloalkyl, or NH<sub>2</sub>, NHR<sup>b</sup>, or N(R<sup>b</sup>)<sub>2</sub>,

R<sup>b</sup> is C<sub>1</sub>-C<sub>8</sub>-alkyl, C<sub>3</sub>-C<sub>10</sub>-alkenyl, C<sub>3</sub>-C<sub>10</sub>-alkynyl, C<sub>1</sub>-C<sub>6</sub>-haloalkyl, C<sub>3</sub>-C<sub>6</sub>-haloalkenyl, C<sub>3</sub>-C<sub>6</sub>-haloalkynyl, C<sub>1</sub>-C<sub>8</sub>-alkoxy-C<sub>1</sub>-C<sub>8</sub>-alkyl, C<sub>1</sub>-C<sub>8</sub>-alkylthio-C<sub>1</sub>-C<sub>8</sub>-alkyl, C<sub>3</sub>-C<sub>10</sub>-cycloalkyl, or C(=O)-A, in which

A is hydrogen, hydroxy, C<sub>1</sub>-C<sub>8</sub>-alkyl, C<sub>1</sub>-C<sub>8</sub>-alkoxy, C<sub>1</sub>-C<sub>6</sub>-halogenalkoxy, C<sub>1</sub>-C<sub>8</sub>-alkylamino or di-(C<sub>1</sub>-C<sub>8</sub>-alkyl)amino;

wherein at least one from L<sup>1</sup>, L<sup>2</sup>, and L<sup>3</sup> is not hydrogen;

X is halogen, cyano, C<sub>1</sub>-C<sub>6</sub>-alkyl, C<sub>1</sub>-C<sub>6</sub>-alkoxy, C<sub>1</sub>-C<sub>6</sub>-haloalkoxy or C<sub>3</sub>-C<sub>8</sub>-alkenyloxy;

R<sup>1</sup> denote C<sub>1</sub>-C<sub>10</sub>-alkenyl, C<sub>2</sub>-C<sub>10</sub>-alkenyl, C<sub>2</sub>-C<sub>10</sub>-alkynyl, or C<sub>4</sub>-C<sub>10</sub>-alkadienyl, C<sub>2</sub>-C<sub>10</sub>-haloalkenyl

wherein R<sup>1</sup> may be unsubstituted or may carry one to three groups R<sup>a</sup>,

R<sup>a</sup> is cyano, nitro, hydroxyl, C<sub>1</sub>-C<sub>6</sub>-alkyl, C<sub>3</sub>-C<sub>6</sub>-cycloalkyl, C<sub>1</sub>-C<sub>6</sub>-alkoxy, C<sub>1</sub>-C<sub>6</sub>-alkylthio, C<sub>1</sub>-C<sub>6</sub>-alkylamino, di-C<sub>1</sub>-C<sub>6</sub>-alkylamino, C<sub>2</sub>-C<sub>6</sub>-alkenyl, C<sub>2</sub>-C<sub>6</sub>-alkenyloxy, C<sub>2</sub>-C<sub>6</sub>-alkynyl, C<sub>3</sub>-C<sub>6</sub>-alkynyloxy, or C<sub>1</sub>-C<sub>4</sub>-alkylenedioxy;

and R<sup>2</sup> is hydrogen.

2. (Withdrawn, Currently amended) The ~~compound~~ substituted 6-(2-halogenphenyl)-triazolopyrimidine of formula I according to claim 1, in which

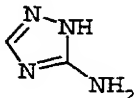
R<sup>1</sup> is straight chained or branched C<sub>2</sub>-C<sub>6</sub>-alkenyl, or a straight chained or branched C<sub>1</sub>-C<sub>6</sub>-alkyl.

3. (Withdrawn, Currently amended) The ~~compound~~ substituted 6-(2-halogenphenyl)-triazolopyrimidine of formula I according to claim 1 or 2 in which X is halogen.

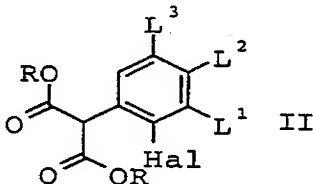
4. (Withdrawn, Currently amended) The ~~compound~~ substituted 6-(2-halogenphenyl)-triazolopyrimidine of formula I according to claim 1 in which the 6-(2-halogenphenyl)group represents one of the following moieties:

2,3,5-trifluorophenyl; 2-F,4-CF<sub>3</sub>-phenyl; 2-F,5-CH<sub>3</sub>-phenyl; 2-Cl,4-F-phenyl; 2-F,4-Cl-phenyl; 2-F,4-Br-phenyl; 2-Cl,4-Br-phenyl; 2,3-difluorophenyl; 2,4-difluorophenyl; 2,4,5-trifluorophenyl; 2,3,4-trifluorophenyl; 2-F,4-NHC(O)CH<sub>3</sub>-phenyl; 2-Br,3,5-difluorophenyl; 2-F,4-NO<sub>2</sub>-phenyl; and 2-Cl,4-NO<sub>2</sub>-phenyl.

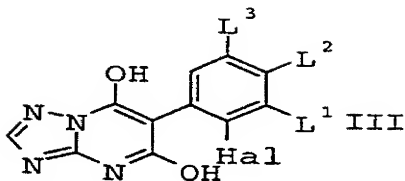
5. (Withdrawn, Currently amended) A process for the preparation of ~~compounds~~ the substituted 6-(2-halogenphenyl)-triazolopyrimidine of formula I as defined in claim 3 which comprises reacting 5-amino-1,2,4-triazole



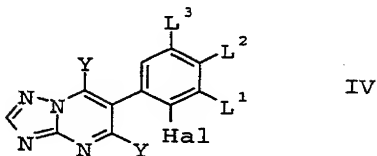
with 2-phenyl-substituted malonic acid ester of formula II,



wherein  $\text{Hal}$ ,  $\text{L}^1$ ,  $\text{L}^2$ , and  $\text{L}^3$  are as defined in formula I, and  $\text{R}$  denotes  $\text{C}_1\text{--C}_6$ -alkyl, under alkaline conditions, to yield compounds of formula III,



which are subsequently treated with a halogenating agent to give 5,7-dihalogen-6-phenyl-triazolopyrimidines of formula IV

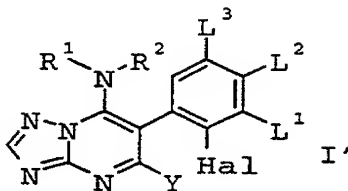


in which Y is halogen, and which is reacted with an amine of formula V



in which  $R^1$  and  $R^2$  are as defined in claim 1 to produce compounds of formula I, as defined in claim 1.

6. (Withdrawn, Currently amended) A process for the preparation of compounds the substituted 6-(2-halogenphenyl)-triazolopyrimidine of formula I according to claim 1 wherein X is cyano,  $C_1$ - $C_{10}$ -alkoxy, or  $C_1$ - $C_6$ -haloalkoxy, which comprises reacting 5-halogen-triazolopyrimidine of formula I',



wherein Y is halogen, with compounds of formula VI,

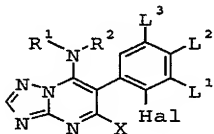


which are, dependent from the value of  $X'$  to be introduced, an inorganic cyano salt, an alkoxylate, haloalkoxylate or an alkenyloxylate, respectively, wherein M is ammonium-, tetraalkylammonium-, alkali metal- or alkaline earth metal cation, to produce compounds of formula I.

7. (Withdrawn) An intermediate of formulae II, III, or IV as defined in claim 5, in which the 6-(2-halogenphenyl)group represents one of the following moieties:

2,3,5-trifluorophenyl; 2-F,4-CF<sub>3</sub>-phenyl; 2-F,5-CH<sub>3</sub>-phenyl; 2-Cl,4-F-phenyl; 2-F,4-Cl-phenyl; 2-F,4-Br-phenyl; 2-Cl,4-Br-phenyl; 2,3-difluorophenyl; 2,4,5-trifluorophenyl; 2,3,4-trifluorophenyl; 2-F,4-NHC(O)CH<sub>3</sub>-phenyl; 2-Br,3,5-difluorophenyl; 2-F,4-NO<sub>2</sub>-phenyl; and 2-Cl,4-NO<sub>2</sub>-phenyl.

8. (Withdrawn, Currently amended) A composition suitable for controlling phytopathogenic fungi, comprising a solid or liquid carrier and ~~a compound~~ the substituted 6-(2-halogenphenyl)-triazolopyrimidine of the formula I as claimed in claim 1.
9. (Withdrawn, Currently amended) A method for controlling phytopathogenic fungi, which comprises treating the fungi or the materials, plants, the soil or the seed to be protected against fungal attack with an effective amount of ~~a compound~~ the substituted 6-(2-halogenphenyl)-triazolopyrimidine of the formula I as claimed in claim 1.
10. (Previously presented) A substituted 6-(2-halogenphenyl)-triazolopyrimidine of formula I



I

in which

Hal is halogen;

L<sup>1</sup>, L<sup>3</sup> independently denote hydrogen, halogen, or C<sub>1</sub>-C<sub>4</sub>-alkyl;

$L^2$  is hydrogen, halogen,  $C_1$ - $C_4$ -haloalkyl, or  $NH_2$ ,  $NHR^b$ , or  $N(R^b)_2$ ,

$R^b$  is  $C_1$ - $C_8$ -alkyl, or  $C(=O)$ -A, in which

A is  $C_1$ - $C_8$ -alkyl;

wherein at least one from  $L^1$ ,  $L^2$ , and  $L^3$  is not hydrogen;

X is halogen,  $C_1$ - $C_6$ -alkyl, or  $C_1$ - $C_6$ -alkoxy;

$R^1$  and  $R^2$  together with the interjacent nitrogen atom represent a saturated or partially unsaturated 5- or 6-membered heterocycle, containing one nitrogen atom or one nitrogen atom and one sulfur atom, which ring may be substituted by one to three  $R^a$  radicals;

$R^a$  is  $C_1$ - $C_6$  alkyl.

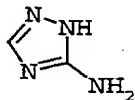
11. (Currently amended) The ~~compound~~ substituted 6-(2-halogenphenyl)-triazolopyrimidine of formula I according to claim 10, in which

$R^1$  and  $R^2$  together with the interjacent nitrogen atom represent a saturated or partially unsaturated 5- or 6-membered heterocycle, containing one nitrogen atom or one nitrogen atom and one sulfur atom, being optionally substituted with one or two  $C_1$ - $C_4$ -alkyl groups.

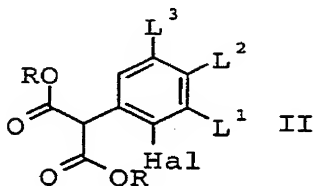
12. (Currently amended) The ~~compound~~ substituted 6-(2-halogenphenyl)-triazolopyrimidine of formula I according to claim 10 in which  $R^1$  and  $R^2$  together with the interjacent nitrogen atom represent a saturated or partially unsaturated 5- or 6-membered heterocycle, containing one nitrogen atom or one nitrogen atom and one sulfur atom, being optionally

substituted with one or two methyl groups.

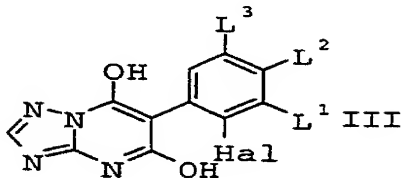
13. (Currently amended) The ~~compound~~ substituted 6-(2-halogenphenyl)-triazolopyrimidine of formula I according to claim 10 in which X is halogen.
14. (Currently amended) The ~~compound~~ substituted 6-(2-halogenphenyl)-triazolopyrimidine of formula I according to claim 10 in which the 6-(2-halogenphenyl)group represents one of the following moieties:  
  
2,3,5-trifluorophenyl; 2-F,4-CF<sub>3</sub>-phenyl; 2-F,5-CH<sub>3</sub>-phenyl; 2-Cl,4-F-phenyl; 2-F,4-Cl-phenyl; 2-F,4-Br-phenyl; 2-Cl,4-Br-phenyl; 2,3-difluorophenyl; 2,4-difluorophenyl; 2,4,5-trifluorophenyl; 2,3,4-trifluorophenyl; 2-F,4-NHC(O)CH<sub>3</sub>-phenyl; and 2-Br,3,5-difluorophenyl.
15. (Withdrawn, Currently amended) A process for the preparation of the ~~compound~~ substituted 6-(2-halogenphenyl)-triazolopyrimidine of formula I as defined in claim 13 which comprises reacting 5-amino-1,2,4-triazole



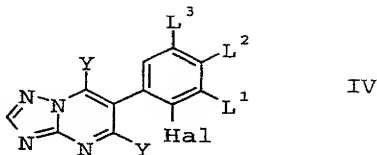
with 2-phenyl-substituted malonic acid ester of formula II,



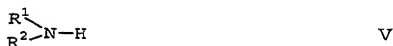
wherein Hal, L<sup>1</sup>, L<sup>2</sup>, and L<sup>3</sup> are as defined in formula I, and R denotes C<sub>1</sub>-C<sub>6</sub>-alkyl, under alkaline conditions, to yield compounds of formula III,



which are subsequently treated with a halogenating agent to give 5,7-dihalogen-6-phenyl-triazolopyrimidines of formula IV

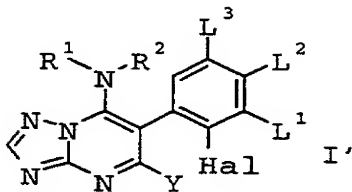


in which Y is halogen, and which is reacted with an amine of formula V



in which R<sup>1</sup> and R<sup>2</sup> are as defined in claim 10 to produce compounds of formula I, as defined in claim 13.

16. (Withdrawn, Currently amended) A process for the preparation the compound substituted 6-(2-halogenphenyl)-triazolopyrimidine of formula I according to claim 10 wherein X is C<sub>1</sub>-C<sub>10</sub>-alkoxy, which comprises reacting 5-halogen-triazolopyrimidine of formula I',



wherein Y is halogen, with compounds of formula VI,



which is an alkoxylate, wherein M is ammonium-, tetraalkylammonium-, alkali metal- or alkaline earth metal cation, to produce compounds of formula I.

17. (Currently amended) A composition suitable for controlling phytopathogenic fungi, comprising a solid or liquid carrier and ~~a compound~~ the substituted 6-(2-halogenphenyl)-triazolopyrimidine of the formula I as claimed in claim 10.
18. (Withdrawn, Currently amended) A method for controlling phytopathogenic fungi, which comprises treating the fungi or the materials, plants, the soil or the seed to be protected against fungal attack with an effective amount of ~~a compound~~ the substituted 6-(2-halogenphenyl)-triazolopyrimidine of the formula I as claimed in claim 10.